

OFFICE OF THE STATE CONTROLLER  
STATE MANDATED COSTS CLAIMING INSTRUCTIONS NO. 2006-23  
PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS  
FISCAL YEAR 2006-2007 AND SUBSEQUENT FISCAL YEARS

October 6, 2006

In accordance with Government Code (GC) section 17561, eligible claimants may submit claims to the State Controller's Office (SCO) for reimbursement of costs incurred for state mandated cost programs. The following are claiming instructions and forms that eligible claimants will use for filing claims for the Pupil Suspensions, Expulsions, and Expulsion Appeals (PSEA) program. These claiming instructions are issued subsequent to adoption of the program's amended consolidated Parameters and Guidelines (P's & G's) by the Commission on State Mandates (COSM).

On December 19, 1996, the COSM determined that test claim legislation established costs mandated by the State according to the provisions listed in the P's & G's. For your reference, the P's & G's are included as an integral part of the claiming instructions.

**Limitation**

Costs for this program that have been claimed for fiscal years 1993-1994 through 2005-2006 pursuant to SCO's claiming instructions for program 176 may not be claimed and are not reimbursable under these P's & G's.

**Eligible Claimants**

Any "school district" as defined in GC section 17519, except for community colleges, which incurs increased costs as a result of this mandate, is eligible to claim reimbursement. Charter schools are not eligible claimants.

**Filing Deadlines**

**A. Reimbursement Claims**

Initial reimbursement claims must be filed within 120 days from the issuance date of claiming instructions. Actual costs incurred for this program are reimbursable for fiscal year 2006-07. Actual claims for 2006-07 and estimated claims for 2007-08 may be filed on or before **January 15, 2008**, before a late penalty is assessed.

In order for a claim to be considered properly filed, it must include any specific supporting documentation requested in the instructions. **Claims filed more than one year after the deadline or without the requested supporting documentation will not be accepted.**

**B. Late Penalty**

**1. Initial Claims**

AB 3000, enacted into law on September 30, 2002, amended the late penalty assessments on initial claims. Late initial claims submitted **on or after September 30, 2002**, are

assessed a late penalty of 10% of the total amount of the initial claims **without limitation**.

## **2. Annual Reimbursement Claims**

All late annual reimbursement claims are assessed a late penalty of 10% subject to the \$1,000 limitation regardless of when the claims were filed.

### **C. Estimated Claims**

Unless otherwise specified in the claiming instructions, school districts are not required to provide cost schedules and supporting documents with an estimated claim if the estimated amount does not exceed the previous fiscal year's actual costs by more than 10%. Claimants can simply enter the estimated amount on form FAM-27, line (07).

However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, the supplemental claim forms must be completed to support the estimated costs as specified for the program to explain the reason for the increased costs. If no explanation supporting the higher estimate is provided with the claim, it will automatically be adjusted to 110% of the previous fiscal year's actual costs. Future estimated claims filed with the SCO must be postmarked by January 15 of the fiscal year in which costs will be incurred. Claims filed timely will be paid before late claims.

### **Minimum Claim Cost**

GC section 17564(a) provides that no claim shall be filed pursuant to Sections 17551 and 17561, unless such claim exceeds one thousand dollars (\$1,000).

### **Reimbursement of Claims**

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs incurred to implement the mandated activities. These costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at, or near, the same time the actual cost was incurred for the event or activity in question.

Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts. Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. It may also include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

### **Certification of Claim**

In accordance with the provisions of GC section 17561, an authorized officer of the claimant shall be required to provide a certification of claim stating: "I certify, (or declare), under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of the Code of Civil Procedure section 2015.5, for those costs mandated by the State and contained herein.

## **Audit of Costs**

All claims submitted to the SCO are reviewed to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with the SCO's claiming instructions and the P's & G's adopted by the COSM. If any adjustments are made to a claim, a "Notice of Claim Adjustment" specifying the claim component adjusted, the amount adjusted, and the reason for the adjustment, will be mailed within 30 days after payment of the claim.

Pursuant to GC section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a school district for this mandate is subject to the initiation of an audit by the SCO no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the SCO to initiate an audit shall commence to run from the date of initial payment of the claim.

In any case, an audit shall be completed no later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities must be retained during the period subject to audit. If an audit has been initiated by the SCO during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. On-site audits will be conducted by the SCO as deemed necessary.

## **Retention of Claiming Instructions**

The claiming instructions and forms in this package should be retained permanently in your Mandated Cost Manual for future reference and use in filing claims. These forms should be duplicated to meet your filing requirements. You will be notified of updated forms or changes to claiming instructions as necessary.

Questions, or requests for hard copies of these instructions, should be faxed to Angie Lowi-Teng at (916) 323-6527 or e-mailed to **LRSDAR@sco.ca.gov**. Or, if you wish, you may call the Local Reimbursements Section at (916) 324-5729.

For your reference, these and future mandated costs claiming instructions and forms can be found on the Internet at [www.sco.ca.gov/ard/local/locreim/index.shtml](http://www.sco.ca.gov/ard/local/locreim/index.shtml).

## **Address for Filing Claims**

Claims should be rounded to the nearest dollar. Submit a signed original and a copy of form FAM-27, Claim for Payment, and all other forms and supporting documents. **(To expedite the payment process, please sign the form in blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**

Use the following mailing addresses:

If delivered by

U.S. Postal Service:

Office of the State Controller

Attn: Local Reimbursements Section

Division of Accounting and Reporting

P.O. Box 942850

Sacramento, CA 94250

If delivered by

other delivery services:

Office of the State Controller

Attn: Local Reimbursements Section

Division of Accounting and Reporting

3301 C Street, Suite 500

Sacramento, CA 95816

# AMENDED CONSOLIDATED PARAMETERS AND GUIDELINES

## ***PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS***

### *Pupil Suspensions from School - CSM-4456*

Education Code section 48911, subdivisions (b) and (e)  
Statutes 1977, Chapter 965; Statutes 1978, Chapter 668  
Statutes 1980, Chapter 73; Statutes 1983, Chapter 498  
Statutes 1985, Chapter 856; Statutes 1987, Chapter 134

### *Pupil Expulsions from School -CSM-4455*

Education Code Sections 48915, subdivisions (a) and (b),  
48915.1, 48915.2, 48916 and 48918  
Statutes 1975, Chapter 1253; Statutes 1977, Chapter 965;  
Statutes 1978, Chapter 668; Statutes 1982, Chapter 318;  
Statutes 1983, Chapter 498; Statutes 1984, Chapter 622;  
Statutes 1987, Chapter 942; Statutes 1990, Chapter 1231;  
Statutes 1992, Chapter 152; Statutes 1993, Chapters 1255, 1256, 1257; and,  
Statutes 1994, Chapter 146

### *Pupil Expulsion Appeals - CSM-4463*

Education Code Sections 48919, 48921-48924  
Statutes 1975, Chapter 1253; Statutes 1977, Chapter 965;  
Statutes 1978, Chapter 668; and Statutes 1983, Chapter 498

## **I. Summary of the Mandates**

These consolidated parameters and guidelines address the following three test claim decisions:

### **A. Pupil Suspensions from School**

On December 19, 1996, the Commission on State Mandates adopted its Statement of Decision determining that certain provisions of Education Code section 48911, subdivisions (b) and (e) impose a new program or higher level of service within the meaning of section 6, article XIII B of the California Constitution and costs mandated by the state pursuant to Government Code section 17514. The mandate is limited to the following reimbursable activities for suspensions based upon (1) possession of a firearm (October 11, 1993 to present), and (2) possession of a knife or explosive October 11, 1993 to December 31, 1993).

- The attendance of the referring school employee in the pre-suspension conference between the principal (or designee or superintendent) and the pupil, whenever practicable. (Ed. Code, § 48911, subd. (b).)
- A report of the cause of each school suspension to the district board (Ed. Code, § 48911, subdivision (e).)

### B. Pupil Expulsions from School

On May 26, 1997, the Commission on State Mandates adopted its Statement of Decision, and on May 26, 2005, adopted its Amended Statement of Decision pursuant to the Supreme Court decision in *San Diego Unified School District. v. Commission on State Mandates* (2004) 33 Cal.4th 859, finding that certain provisions of the following Education Code sections impose a new program or higher level of service for school districts within the meaning of section 6, article XIII B of the California Constitution and costs mandated by the state pursuant to Government Code section 17514.

- Education Code section 48915, subdivision (a), as added by Statutes 1983, chapter 498 and amended by Statutes 1993, chapters 1255 and 1256.;
- Education Code section 48915, subdivision (b), as amended by Statutes 1993, chapter 1255 and 1256;
- Education Code section 48918 (opening paragraph and subds. (a), (b), (f), (g), (h), (i) & (j)), as added by Statutes 1975, chapter 1253 and amended by Statutes 1977, chapter 965, Statutes 1978, chapter 668, Statutes 1982, chapter 318, Statutes 1983, chapter 498, Statutes 1990, chapter 1231, and Statutes 1994, chapter 146;
- Education Code section 48916, as added by Statutes 1983, chapter 498 and amended by Statutes 1992, chapter 152;
- Education Code section 48915.1, as added by Statutes 1987, chapter 943 and amended by Statutes 1990, chapter 1231 and Statutes 1993, chapter 1257;
- Education Code section 48915.2, as added by Statutes 1993, chapter 1257.

The Commission further determined that certain of the foregoing sections imposed a new program or higher level of service only with respect to expulsion procedures instituted for certain specified offenses.

### C. Expulsion Appeals

On March 27, 1997, the Commission on State Mandates adopted its Statement of Decision finding that certain provisions of Education Code sections 48919 and 48921 through 48924 impose a new program or higher level of service within the meaning of section 6, article XIII B of the California Constitution for school districts and county boards of education to hear and decide pupil expulsion appeals.

The Commission determined that the following provisions applicable to all student expulsion appeals establish costs mandated by the state pursuant to Government Code section 17514 for county boards of education to:

- Adopt rules and regulations establishing procedures for expulsion appeals.
- Notify persons appealing a school district expulsion of the procedures for the conduct of the appeal, as part of the county board's notice to the pupil regarding the appeal.
- Review the appeal and the record of the expulsion hearing conducted by the governing board (including the written transcript of the hearing and supporting documents).

- Conduct the initial hearing on the appeal, if the county board of education decides in such hearing to grant a hearing de novo.
- By either personal service or certified mail, notify the pupil and the school district of the final and binding order of the county board of education,
- Preserve the record of appeal.

The Commission determined that, limited to those expulsions which were based upon Education Code section 48915, subdivision (b) (as amended by Stats. 1993, ch. 1255 and 1256), the following provisions establish costs mandated by the state pursuant to Government Code section 17514 for school districts to:

- Provide copies of supporting documents and records from the district's expulsion hearing (other than the transcript) to a pupil or the pupil's parent or guardian, as follows:
  1. If the requesting party is a pupil less than 18 years of age or the parent or guardian of a pupil who is 18 years of age or older, all documents; or
  2. If the requesting party is the parent or guardian of a pupil under the age of 18, only those documents which are not "education records" as defined in 20 U.S.C. section 1232g(a)(4).<sup>1</sup>
  3. Participate in the initial appeal hearing at the county board of education, if the county board decides in such hearing to grant a trial de novo.
  4. If the county board of education remands the matter to the school district, send notice of hearing, conduct the hearing and render a decision in the remand hearing.
  5. If ordered by the county board of education, expunge the district's and the pupil's records of the expulsion.

## **II. ELIGIBLE CLAIMANTS**

Any "school district", as defined in Government Code section 17519, except for community colleges, which incurs increased costs as a result of this mandate is eligible to claim reimbursement. Charter schools are not eligible claimants.

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<sup>1</sup>The Federal Education Rights and Privacy Act of 1974 ("FERPA") defines "education records" as those records, files, documents and other materials which (i) contain information directly related to a student, and (ii) are maintained by the school district or a person acting for the school district. 20 U.S.C. Section 1232g(a)(4)(B)) provides certain exceptions to the general definition (for example, records maintained by a law enforcement unit of a school district that were created by that law enforcement unit for the purpose of law enforcement).

### **III. PERIOD OF REIMBURSEMENT**

These consolidated parameters and guidelines are operative for reimbursement claims filed for increased costs beginning July 1, 2006. Pursuant to Government Code section 17560, reimbursement for state-mandated costs may be claimed as follows:

1. A school district may file an estimated reimbursement claim by January 15 of the fiscal year in which costs are to be incurred, and, by January 15 following that fiscal year shall file an annual reimbursement claim that details the costs actually incurred for that fiscal year; or it may comply with the provisions of subdivision (b).
2. A school district may, by January 15 following the fiscal year in which costs are incurred, file an annual reimbursement claim that details the costs actually incurred for that fiscal year.
3. In the event revised claiming instructions are issued by the Controller pursuant to subdivision (c) of section 17558 between October 15 and January 15, a school district filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instructions to file a claim.

Reimbursable actual costs for one fiscal year shall be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Government Code section 17561 (d)(1), all claims for reimbursement of initial years' costs shall be submitted within 120 days of the issuance of the State Controller's claiming instructions. If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

Costs for *Pupil Suspensions, Expulsions, and Expulsion Appeals* (CSM-4456, 4455, 4463) that have been claimed for fiscal years 1993-1994 through 2005-2006 pursuant to the State Controller's claiming instructions for Program 176 may not be claimed and are not reimbursable under these parameters and guidelines.

However, costs for *Pupil Suspensions, Expulsions, and Expulsion Appeals* beginning with fiscal years 2006-2007 may be claimed for activities specified in section IV. of these parameters and guidelines.

### **IV. REIMBURSABLE ACTIVITIES**

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed except as specified in Section VII of these parameters and guidelines.

Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.



Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant may claim and be reimbursed for increased costs for reimbursable activities identified below by either the actual cost method or by the reasonable reimbursement methodology for additional hearing costs. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate. Only increased costs for reimbursable activities identified below are reimbursable.

For each eligible claimant, the following activities are reimbursable:

**A. ADOPTION AND REVISION OF RULES AND PROCEDURES**

**1. County Boards of Education**

- (a) Adopting rules and procedures for expulsion appeal hearings and revising those rules and procedures to conform to amendments of the statutory hearing requirements.
- (b) Printing and disseminating rules and procedures to each school district in the county.

**2. School Districts and County Boards of Education**

- (a) Adopting rules and procedures pertaining to pupil expulsions and revising those rules and procedures to conform to amendments of the statutory requirements.
- (b) Adopting rules and regulations establishing the procedure for the filing and processing of requests for readmission pursuant to Education Code section 48916.
- (c) Printing and disseminating rules and procedures to each school site.

**B. SUSPENSION CONFERENCE AND REPORT**

If the suspension is for possession of a firearm, then the following activities are reimbursable:

**1. Attendance at Informal Conference**

The attendance of the teacher, supervisor or other school district employee who referred the pupil to the principal for suspension in the pre-suspension conference between the principal (or principal's designee) or superintendent and the pupil.

**2. Reporting the Cause to the District Office**

Reporting the cause of the suspension to the school district's superintendent or governing board in accordance with the regulations of the school district's governing board. Such report may be oral or written.

### C. RECOMMENDATION OF EXPULSION

The preparation of a report to the school district governing board concerning the principal's or superintendent's recommendation to expel a pupil for the following offenses:

- causing serious physical injury to another person, except in self defense;<sup>2</sup>
- possession of any firearm,<sup>3</sup> knife,<sup>4</sup> explosive,<sup>5</sup> or other dangerous object<sup>6</sup> of no reasonable use to the pupil at school or at a school activity off school grounds;
- unlawful sale of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of Health and Safety Code,<sup>7</sup> except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis; or
- robbery or extortion.<sup>8</sup>

### D. EXPULSION HEARING PROCEDURAL REQUIREMENTS

If the expulsion hearing is for one of the following offenses:

- causing serious physical injury to another person, except in self defense;<sup>9</sup>
- possession of any firearm,<sup>10</sup> knife,<sup>11</sup> explosive,<sup>12</sup> or other dangerous object<sup>13</sup> of no reasonable use to the pupil at school or at a school activity off school grounds;
- unlawful sale of any controlled substance listed in Chapter 2 (commencing with Section 1053) of Division 10 of Health and Safety Code,<sup>14</sup> except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis ; or
- robbery or extortion.<sup>15</sup>

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<sup>2</sup> Education Code section 48915, subdivision (a)(1).

<sup>3</sup> Education Code section 48915, subdivision (c)(1).

<sup>4</sup> Education Code section 48915, subdivision (a)(2).

<sup>5</sup> Education Code section 48915, subdivision (c)(5).

<sup>6</sup> Education Code section 48915, subdivision (a)(2); the word "device" is replaced with "object" to conform with text of this section.

<sup>7</sup> Education Code section 48915, subdivision (c)(3).

<sup>8</sup> Education Code section 48915, subdivision (a)(4).

<sup>9</sup> Education Code section 48915, subdivision (a)(1).

<sup>10</sup> Education Code section 48915, subdivision (c)(1).

<sup>11</sup> Education Code section 48915, subdivision (a)(2).

<sup>12</sup> Education Code section 48915, subdivision (c)(5).

<sup>13</sup> Education Code section 48915, subdivision (a)(2); the word "device" is replaced with "object" to conform with text of this section.

<sup>14</sup> Education Code section 48915, subdivision (a)(2); the word "device" is replaced with "object" to conform with text of this section.

<sup>15</sup> Education Code section 48915, subdivision (a)(4).

Then the following activities are reimbursable:

1. Including in the notice of hearing to the pupil:

- (a) a copy of the disciplinary rules of the district that relate to the alleged violation;
- (b) a notice of the parent's, guardian's or pupil's obligation, pursuant to Education Code section 48915.1, subdivision (b), to notify a new school district, upon enrollment, of the pupil's expulsion; and
- (c) notice of the opportunity for the pupil or the pupil's parent or guardian to inspect and obtain copies of all documents to be used at the hearing.

2. Allowing a pupil or pupil's parent or guardian to inspect and obtain copies of documents to be used at the expulsion hearing, as follows:

- (a) if the requesting party is a pupil less than 18 years of age or the parent or guardian of a pupil who is 18 years of age or older, all documents; or
- (b) if the requesting party is the parent or guardian of a pupil under the age of 18, only those documents which are not "education records" as defined in 20 U.S.C. section 1232g(a)(4).

3. Expulsion hearing costs:

(a) Preparation for Expulsion Hearing

Preparing and reviewing documents to be used during the expulsion hearing. Arranging hearing dates and assigning panel members and translators as needed.

(b) Conducting Expulsion Hearing

The attendance of the review panel and other district employees required to attend the expulsion hearing.

(c) Hearing Officer or Panel's Expulsion Recommendation to the Governing Board

Preparation and submission of the hearing officer or panel's findings of fact based solely on the evidence adduced at the hearing to recommend the expulsion of a pupil to the governing board.

(d) Record of Hearing

Maintaining a record of the hearing by any means which would allow for a reasonably accurate and complete written transcript of the proceedings to be made.

**E. POST-EXPULSION PROCEDURES**

If the expulsion hearing is for possession of a firearm, then the following activities are reimbursable:

1. Sending written notice to the pupil or the pupil's parent or guardian of: (a) any decision by the governing board to expel or suspend the enforcement of an expulsion order during a period of probation; (b) the right to appeal the expulsion to the county board of education, and (c) the obligation of the pupil, parent or guardian under Education Code section 48915.1 to notify a new school district, upon enrollment, of the pupil's expulsion. Costs of postage

for mailing the notice is reimbursable under this activity.

2. Maintaining a record of the expulsion, including the cause of the expulsion.
3. Recording the expulsion order and the cause of the expulsion in the pupil's mandatory interim record.
4. Forwarding the student's mandatory interim record to any school in which the pupil subsequently enrolls upon the request of such school.

#### **F. READMISSION PROCEDURES**

If the governing board expelled a pupil for possession of a firearm, then the following activities are reimbursable:

1. setting a date when the pupil may apply for readmission to a district school; and
2. providing a description of the procedure for readmission to the pupil and the pupil's parent or guardian.

#### **G. APPLICATION BY EXPELLED PUPIL TO ATTEND NEW DISTRICT**

If a pupil ("applicant") seeking application to a school district (the "receiving school district") has been expelled by another school district for any offense and the receiving school district does not have a voluntary interdistrict transfer agreement with the expelling district, then the following activities associated with the receiving district's hearing are reimbursable, as specified below:

1. Including in the notice of hearing to the applicant: (a) a copy of the hearing procedure rules of the receiving district; and (b) notice of the opportunity for the applicant or the applicant's parent or guardian to inspect and obtain copies of all documents to be used at the hearing.
2. Allowing an applicant or applicant's parent or guardian to inspect and obtain copies of documents to be used at the admission hearing, as follows:
  - (a) if the requesting party is an applicant less than 18 years of age, or the parent or guardian of an applicant who is 18 years of age or older, all documents; or
  - (b) if the requesting party is the parent or guardian of an applicant under the age of 18, only those documents which are not "education records" as defined in 20 U.S.C. section 1232g(a)(4).<sup>16</sup>
3. Determination by the governing board whether a pupil expelled by another school district would pose a danger to the pupils and employees of the receiving district and whether to admit, deny admission, or conditionally admit the pupil during or after the period of expulsion.
4. Maintaining a record of each admission denial, including the cause of the denial.
5. Notifying the applicant and the applicant's parent or guardian of the governing board's determination of whether the applicant poses a potential danger to the pupils or employees of the receiving district and whether to admit, deny admission, or conditionally admit the applicant during or after the period of expulsion.

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<sup>16</sup> See footnote 1.

## H. RESPONDING TO REQUESTS FOR RECOMMENDATIONS

If the governing board expelled a pupil for possession of a firearm and the expelled student applies for admission to another school district (the “receiving district”) then, unless the expelling district entered into a voluntary interdistrict transfer agreement with the receiving district, the activities of the expelling district in responding to the receiving district’s request for a recommendation regarding the admission of the applicant are reimbursable.

## I. EXPULSION APPEAL HEARINGS

### 1. County Boards of Education (applicable to all student expulsion appeals)

#### (a) Providing Notice to the Parties

(1) Notifying the pupil and the pupil’s parent(s) or guardian(s) of the procedures for the appeal.

(2) Notifying the school district and pupil in writing of the final order of the county board of education, either by personal service or certified mail.

#### (b) Review of Hearing Record

Reviewing the filed appeal and the transcript and record of the hearing conducted by the school district governing board.

#### (c) Conducting Hearings

Conducting the initial appeal hearing and rendering a decision. Reimbursement for this component is limited to appeals for which the county board of education decides to grant a hearing de novo.

#### (d) Preserving Records

Preserving the record of appeal.

### 2. School Districts

If the governing board expelled a pupil for possession of a firearm then the following activities are reimbursable

#### (a) Providing Copies of Documents

(1) Providing copies of supporting documents and records from the district’s expulsion hearing (other than the transcript) to a pupil who is less than 18 years of age.

(2) Providing copies of supporting documents and records from the district’s expulsion hearing (other than the transcript) to a pupil who is 18 years of age or older, or to the parent or guardian of a pupil who is less than 18 years of age, if the documents or records are not “education records” as defined in 20 U.S.C. section 1232g(a)(4).<sup>17</sup>

#### (b) Participation In Hearings

Participation by a school district in the county board of education’s hearing on

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<sup>17</sup> See footnote 1

appeal if the county board of education grants a hearing de novo,

(c) Remand Hearing

If the county board of education remanded the expulsion to the school district's governing board following an appeal, sending notice of the hearing, conducting a hearing on remand, and rendering a decision in the remand hearing.

(d) Expunging Records

Expunging the school district's and pupil's records concerning the expulsion, when ordered by the county board of education.

**J. TRAINING**

Training school district personnel about the mandated suspension, expulsion, and expulsion appeal activities. This reimbursable component includes the labor time of administrators and other school district personnel involved with preparation of training sessions and the labor time of administrators and other school district personnel who conduct or attend training sessions. Labor time for teachers is not reimbursable. The cost of materials and supplies used or distributed in training sessions is reimbursable under this component.

**V. CLAIM PREPARATION AND SUBMISSION FOR ACTUAL COSTS**

Each of the following cost elements must be identified for each reimbursable activity identified in Section V, Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section V. Additionally, each reimbursement claim must be filed in a timely manner.

**A. Direct Cost Reporting**

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

**1. Salaries and Benefits**

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

**2. Materials and Supplies**

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

**3. Contracted Services**

Report the name of the contractor and services performed to implement the reimbursable activities. Attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services were performed and itemize all costs

for those services.

#### 4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

#### 5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination point, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of the cost element A.1. Salaries and Benefits, for each applicable reimbursable activity.

#### 6. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section V of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A.1, Salaries and Benefits, and A.2, Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3, Contracted Services.

### B. Indirect Cost Rates

Indirect costs are costs that have been incurred for a common or joint purpose.—These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective. After direct costs have been determined and assigned to other activities, as appropriate, indirect costs are those remaining to be allocated to benefited cost objectives.

Indirect costs include: (a) the indirect costs originating in each department or agency of the governmental unit carrying out state mandated programs, and (b) the costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

School districts must use the J-380 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

County offices of education must use the J-580 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

## **VI. CLAIM PREPARATION AND SUBMISSION: REASONABLE REIMBURSEMENT METHODOLOGY**

The Commission is adopting a *reasonable reimbursement methodology* to reimburse school districts for all direct and indirect costs, as authorized by Government Code section 17557, subdivision (b), *in lieu of payment of total actual costs incurred for the reimbursable activities*

*specified in Section IV.D. 3 above.*

#### A. Reasonable Reimbursement Methodology

The definition of reasonable reimbursement methodology is in Government Code section 17518.5, as follows:

##### Government Code Section 17518.5

- (a) *Reasonable reimbursement methodology* means a formula for reimbursing local agency and school district costs mandated by the state that meets the following conditions:
  - (1) the total amount to be reimbursed statewide is equivalent to total estimated local agency and school district costs to implement the mandate in a cost-efficient manner.
  - (2) for 50 percent or more of eligible local agency and school district claimants, the amount reimbursed is estimated to fully offset their projected costs to implement the mandate in a cost-efficient manner.
- (b) Whenever possible, a *reasonable reimbursement methodology* shall be based on general allocation formulas, uniform cost allowances, and other approximations of local costs mandated by the state rather than detailed documentation of actual local costs. In cases when local agencies and school districts are projected to incur costs to implement a mandate over a period of more than one fiscal year, the determination of a reasonable reimbursement methodology may consider local costs and state reimbursements over a period of greater than one fiscal year, but not exceeding 10 years.
- (c) A reasonable reimbursement methodology may be developed by any of the following:
  - (1) The Department of Finance.
  - (2) The Controller.
  - (3) An affected state agency.
  - (4) A claimant.
  - (5) An interested party,

#### B. Uniform Cost Allowances and Formula for Reimbursable Activities

The *reasonable reimbursement methodology* shall consist of uniform cost allowances to cover all direct and indirect costs of performing activities in D. 3, as described under Section IV, Reimbursable Activities, and applied to a formula for calculating claimable costs.



1. The uniform cost allowances for reimbursement of activities, IV. D. 3 are *as follows*:

Reimbursable Component	Uniform Cost Allowance Fiscal Year 2005-2006
IV. D.3 (a) Preparation for Expulsion Hearing	\$157.00
IV. D. 3 (b). Conducting Expulsion Hearing	\$196.16
IV. D 3 (c) Hearing Officer or Panel's Expulsion Recommendation to the Governing Board	\$232.00
IV. D.3 (d) Record of Hearing	\$2.00
Total	\$587.16

The State Controller's Office shall update these Uniform Cost Allowances by the Implicit Price Deflator referenced in Government Code section 17523 for fiscal year 2006-2007 and each subsequent fiscal year.

## 2. Formula

Reimbursement of Activities IV. D. 3. (a) – (d) is determined by multiplying the uniform cost allowance for the appropriate fiscal year by the number of mandatory recommendations for expulsion that resulted in expulsion hearings. If a hearing does not result, claimant may claim increased costs incurred for Section IV.D 3 (a), Preparation for Expulsion Hearing.

## **VII. RECORD RETENTION**

### A. Actual Costs

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a school district pursuant to this chapter<sup>18</sup> is subject to the initiation of an audit by the State Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documentation used to support the reimbursable activities, as described in Section V, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

### B. Reasonable Reimbursement Methodology

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs based on this reasonable reimbursement methodology filed by a school district pursuant to this chapter<sup>19</sup> is subject to the initiation of an audit by the Controller

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<sup>18</sup> This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

<sup>19</sup> This refers to Title 2, division 4, part 7, chapter 4 of the Government Code. Amended July 28, 2006  
Mandates:4000/4445/postlitigation/PsGs/adoptedconsolidated

no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

School districts must retain documentation which supports the total number of mandatory expulsions initiated and hearings conducted during the period subject to audit.

## **VIII. OFFSETTING REVENUES AND REIMBURSEMENTS**

Any offsetting revenues the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandate shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source, including but not limited to, services fees collected, federal funds, and other state funds shall be identified and deducted from this claim.

## **IX. STATE CONTROLLER'S CLAIMING INSTRUCTIONS**

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement no later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the statute, regulations, or executive order creating the mandate and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1), issuance of the claiming instructions shall constitute notice of the right of school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

## **X. REMEDIES BEFORE THE COMMISSION**

Upon request of a school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instruction and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (d), and California Code of Regulations, title 2, section 1183.2.

## **XI. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES**

The Statements of Decision on *Pupil Suspensions from School* and *Pupil Expulsion Appeals* are legally binding on all parties and provide the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claims. The administrative records, including the Statements of Decision, are on file with the Commission.

The Statement of Decision on *Pupil Expulsions from School*, as modified pursuant to the Supreme Court decision in *San Diego Unified School District. v. Commission on State Mandates* (2004) 33 Cal.4th 859, and adopted on May 26, 2005, is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim and the Supreme Court decision. The administrative record, including the Statement of Decision, as modified, and the Supreme Court decision is on file with the Commission.

<b>CLAIM FOR PAYMENT</b> <b>Pursuant to Government Code Section 17561</b> <b>PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS</b> <b>FISCAL YEAR 2006-07 AND SUBSEQUENT FISCAL YEARS</b>			For State Controller Use Only	PROGRAM
			(19) Program Number 00176	176
			(20) Date Filed	
			(21) LRS Input	
(01) Claimant Identification Number			<b>Reimbursement Claim Data</b>	
(02) Claimant Name			(22) FORM-1A, (04)(A)(f)	
Address			(23) FORM-1A, (04)(B)(f)	
			(24) FORM-1A, (04)(C)(f)	
			(25) FORM-1A, (04)(D)(f)	
<b>Type of Claim</b>	(03) Estimated <input type="checkbox"/>	(09) Reimbursement <input type="checkbox"/>	(26) FORM-1A, (04)(E)(f)	
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(27) FORM-1A, (04)(F)(f)	
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(28) FORM-1A, (04)(G)(f)	
			(29) FORM-1A, (04)(H)(f)	
<b>Fiscal Year of Cost</b>	(06)	(12)	(30) FORM-1A, (04)(I)(f)	
<b>Total Claimed Amount</b>	(07)	(13)	(31) FORM-1A, (04)(J)(f)	
Less: <b>10% Late Penalty, not to exceed \$1,000</b>		(14)	(32) FORM-1A, (06)	
Less: <b>Prior Claim Payment Received</b>		(15)	(33) FORM-1A, (07)	
<b>Net Claimed Amount</b>		(16)	(34) FORM-1A, (09)	
<b>Due from State</b>	(08)	(17)	(35) FORM-1A, (10)	
<b>Due to State</b>		(18)	(36) FORM-1B, (09)	
<b>(37) CERTIFICATION OF CLAIM</b>  <p>In accordance with the provisions of Government Code § 17561, I certify that I am the officer authorized by the school district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein; and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Signature of Authorized Officer</p>    <hr/> <p>Type or Print Name</p> <p>(38) Name of Contact Person for Claim</p> <hr/> </div> <div style="width: 45%;"> <p>Date</p>    <hr/> <p>Title</p> <hr/> <p>Telephone Number</p> <hr/> <p>E-mail Address</p> <hr/> </div> </div>				

<b>Program</b> <b>176</b>	<b>PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS</b> <b>FISCAL YEAR 2006-07 AND SUBSEQUENT FISCAL YEARS</b> <b>Certification Claim Form</b> <b>Instructions</b>	<b>FORM</b> <b>FAM-27</b>
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- (01) Enter the payee number assigned by the State Controller's Office.
- (02) Enter your Official Name, County of Location, Street or P. O. Box address, City, State, and Zip Code.
- (03) If filing an estimated claim, enter an "X" in the box on line (03) Estimated.
- (04) If filing a combined estimated claim on behalf of districts within the county, enter an "X" in the box on line (04) Combined.
- (05) If filing an amended estimated claim, enter an "X" in the box on line (05) Amended.
- (06) Enter the fiscal year in which costs are to be incurred.
- (07) Enter the amount of the estimated claim. If the estimate exceeds the previous year's actual costs by more than 10%, complete Form-1A and enter the amount from line (11).
- (08) Enter the same amount as shown on line (07).
- (09) If filing a reimbursement claim, enter an "X" in the box on line (09) Reimbursement.
- (10) If filing a combined reimbursement claim on behalf of districts within the county, enter an "X" in the box on line (10) Combined.
- (11) If filing an amended reimbursement claim, enter an "X" in the box on line (11) Amended.
- (12) Enter the fiscal year for which actual costs are being claimed. If actual costs for more than one fiscal year are being claimed, complete a separate form FAM-27 for each fiscal year.
- (13) Enter the amount of the reimbursement claim from Form-1A, line (11). The total claimed amount must exceed \$1,000.
- (14) Reimbursement claims must be filed by January 15 of the following fiscal year in which costs were incurred or the claims shall be reduced by a late penalty. Enter zero if the claim was timely filed, otherwise, enter the product of multiplying line (13) by the factor 0.10 (10% penalty), not to exceed \$1,000.
- (15) If filing a reimbursement claim or a claim was previously filed for the same fiscal year, enter the amount received for the claim. Otherwise, enter a zero.
- (16) Enter the result of subtracting line (14) and line (15) from line (13).
- (17) If line (16), Net Claimed Amount, is positive, enter that amount on line (17), Due from State.
- (18) If line (16), Net Claimed Amount, is negative, enter that amount on line (18), Due to State.
- (19) to (21) Leave blank.
- (22) to (36) Reimbursement Claim Data. Bring forward the cost information as specified on the left-hand column of lines (22) through (36) for the reimbursement claim, e.g., Form-1A, (04)(A)(f), means the information is located on Form-1A, block (04), line (A), column (f). Enter the information on the same line but in the right-hand column. Cost information should be rounded to the nearest dollar, i.e., no cents. Indirect costs percentage should be shown as a whole number and without the percent symbol, i.e., 7.548% should be shown as 8. **Completion of this data block will expedite the payment process.**
- (37) Read the statement "Certification of Claim." If it is true, the claim must be dated, signed by the district's authorized officer, and must include the person's name and title, typed or printed. **Claims cannot be paid unless accompanied by an original signed certification. (To expedite the payment process, please sign the form FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**
- (38) Enter the name, telephone number, and e-mail address of the person to contact if additional information is required.

**SUBMIT A SIGNED ORIGINAL, AND A COPY OF FORM FAM-27, WITH ALL OTHER FORMS AND SUPPORTING DOCUMENTS TO:**

***Address, if delivered by U.S. Postal Service:***

**OFFICE OF THE STATE CONTROLLER  
ATTN: Local Reimbursements Section  
Division of Accounting and Reporting  
P.O. Box 942850  
Sacramento, CA 94250**

***Address, if delivered by other delivery service:***

**OFFICE OF THE STATE CONTROLLER  
ATTN: Local Reimbursements Section  
Division of Accounting and Reporting  
3301 C Street, Suite 500  
Sacramento, CA 95816**

<b>Program</b> <b>176</b>	<b>MANDATED COSTS</b> <b>PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS</b> <b>FISCAL YEAR 2006-07 AND SUBSEQUENT FISCAL YEARS</b> <b>CLAIM SUMMARY</b>	<b>FORM</b> <b>1A</b>
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(01) Claimant	(02) Type of Claim <span style="float: right;">Fiscal Year</span> Reimbursement <input type="checkbox"/> Estimated <input type="checkbox"/>
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**Claim Statistics**

(03) (a) Number of students suspended in the fiscal year of claim	
(b) Number of students expelled in the fiscal year of claim	
(c) Number of expulsion appeals in the fiscal year of claim	

Direct Costs	Object Accounts					
(04) Reimbursable Components	(a)	(b)	(c)	(d)	(e)	(f)
Actual Cost Method	Salaries and Benefits	Materials and Supplies	Contract Services	Fixed Assets	Travel and Training	Total
A. Adoption and Revision of Rules and Procedures						
B. Suspension Conference and Report						
C. Recommendation of Expulsion						
D. Expulsion Hearing Procedural Requirements						
E. Post Expulsion Procedures						
F. Readmission Procedures						
G. Application by Expelled Pupil to Attend New District						
H. Responding to Requests for Recommendations						
I. Expulsion Appeals Hearing						
J. Travel and Training						
(05) Total Direct Costs						

**Indirect Costs**

(06) Indirect Cost Rate	[From J-380 or J-580]	%
(07) Total Indirect Costs	[Line (06) x line (05)(a)]	
(08) Total Direct and Indirect Costs	[Line (05)(e) + line (07)]	

**Cost Reduction**

(09) Less: Offsetting Savings, if applicable	
(10) Less: Other Reimbursements, if applicable	
(11) Total Claimed Amount	[Line (08) – {line (09) + line (10)}]

<b>Program</b> <b>176</b>	<b>PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS</b> <b>FISCAL YEAR 2006-07 AND SUBSEQUENT FISCAL YEARS</b> <b>CLAIM SUMMARY</b> <b>Instructions</b>	<b>FORM</b> <b>1A</b>
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- (01) Enter the name of the claimant.
- (02) Type of Claim. Check a box, Reimbursement or Estimated, to identify the type of claim being filed. Enter the fiscal year of costs.
- Form 1A must be filed for a reimbursement claim. Do not complete Form 1A if you are filing an estimated claim and the estimate does not exceed the previous fiscal year's actual costs by more than 10%. Simply enter the amount of the estimated claim on Form FAM-27, line (07). However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, Form 1A must be completed and a statement attached explaining the increased costs. Without this information the estimated claim will automatically be reduced to 110% of the previous fiscal year's actual costs.
- (03) (a) Enter the number of students who were suspended during the fiscal year of claim.
- (b) Enter the number of students who were expelled during the fiscal year of claim.
- (c) Enter the number of expulsion appeals that were filed during the fiscal year of claim.
- (04) Reimbursable Activities. For each reimbursable activity, enter the total from form 2, line (05), columns (d) through (h) to form 1, block (04), columns (a) through (e) in the appropriate row. Total each row.
- (05) Total Direct Costs. Total columns (a) through (f).
- (06) Indirect Cost Rate. Enter the indirect cost rate from the Department of Education Form J-380 or J-580, as applicable for the fiscal year of costs.
- (07) Total Indirect Costs. Enter the result of multiplying the Indirect Cost Rate, line (06), by the Total Salaries and Benefits, line (05)(a).
- (08) Total Direct and Indirect Costs. Enter the sum of Total Direct Costs, line (05)(e), and Total Indirect Costs, line (07).
- (09) Less: Offsetting Savings, if applicable. Enter the total savings experienced by the claimant as a direct result of this mandate. Submit a detailed schedule of savings with the claim. If the savings were already deducted on form 1B, it may not be deducted here.
- (10) Less: Other Reimbursements, if applicable. Enter the amount of other reimbursements received from any source including, but not limited to, service fees collected, federal funds, and other state funds, which reimbursed any portion of the mandated cost program. Submit a schedule detailing the reimbursement sources and amounts.
- (11) Total Claimed Amount. Subtract the sum of Offsetting Savings, line (09), and Other Reimbursements, line (10), from Total Direct and Indirect Costs, line (08). Enter the remainder on this line and carry the amount forward to form 1B, line (07).

<b>Program</b> <b>176</b>	<b>MANDATED COSTS</b> <b>PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS</b> <b>FISCAL YEAR 2006-07 AND SUBSEQUENT FISCAL YEARS</b> <b>CLAIM SUMMARY</b>				<b>FORM</b> <b>1B</b>	
	(01) Claimant		(02) Type of Claim			Fiscal Year
			Reimbursement <input type="checkbox"/> Estimated <input type="checkbox"/>			
<b>Claim Statistics</b>						
(03) Number of mandatory recommendations for expulsion that resulted in expulsion hearings						
(04) Unit Cost Allowance						
(a)	(b)	(c)	(d)	(e)		
<b>Preparation for Expulsion Hearing</b> P's & G's § IV. D.3(a) Rate for 2006-07 FY	<b>Conducting Expulsion Hearing</b> P's & G's § IV. D. 3(b) Rate for 2006-07 FY	<b>Hearing Officer or Panel's Expulsion Recommendation to Governing Board</b> P's & G's § IV. D. 3(c) Rate for 2006-07 FY	<b>Record of Hearing</b> P's & G's § IV. D. 3(d) Rate for 2006-07 FY	<b>Total</b>		
\$162.76				(3) x (04)(a)		
	\$203.36			(3) x (04)(b)		
		\$240.51		(3) x (04)(c)		
			\$2.07	(3) x (04)(d)		
(05) Total Cost						
<b>Cost Reduction</b>						
(06) Less: Offsetting Savings						
(07) Less: Other Reimbursements						
(08) Total from form 1A, line (11)						
(09) Total Claimed Amount					Line (05)(e) – {Line (06) + Line (07)} + line (08)	



<b>Program</b> <b>176</b>	<b>PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS</b> <b>FISCAL YEAR 2006-07 AND SUBSEQUENT FISCAL YEARS</b> <b>INSTRUCTIONS</b>	<b>FORM</b> <b>1B</b>
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- (01) Enter the name of the claimant.
- (02) Type of Claim. Check a box, Reimbursement or Estimated, to identify the type of claim being filed. Enter the fiscal year of costs.
- Form 1B must be filed for a reimbursement claim. Do not complete form 1B if you are filing an estimated claim and the estimate does not exceed the previous fiscal year's actual costs by more than 10%. Simply enter the amount of the estimated claim on form FAM-27, line (07). However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, form 1B must be completed and a statement attached explaining the increased costs. Without this information the estimated claim will automatically be reduced to 110% of the previous fiscal year's actual costs.
- (03) Enter the number of mandatory recommendations for expulsion that resulted in expulsion hearings during the fiscal year of claim.
- (04) (a) Preparation for Expulsion Hearing. The unit cost rate for fiscal year 2006-07 is \$162.76, the rate for the estimated claim for 2007-08 fiscal year is \$167.13.
- (b) Conducting Expulsion Hearing. The unit cost rate for fiscal year 2006-07 is \$203.36, the rate for the estimated claim for 2007-08 fiscal year is \$208.82.
- (c) Hearing Officer or Panel's Expulsion Recommendation to Governing Board. The unit cost rate for fiscal year 2006-07 is \$240.51, the rate for the estimated claim for 2007-08 fiscal year is \$240.51.
- (d) Record of Hearing. The unit cost rate for fiscal year 2006-07 is \$2.07, the rate for the estimated claim for 2007-08 fiscal year is \$2.12.
- (05) Total Cost. Enter the total of column (e).
- (06) Less: Offsetting Savings, if applicable. Enter the total savings experienced by the claimant as a direct result of this mandate. Submit a detailed schedule of savings with the claim. If the savings were already deducted on form 1A, it may not be deducted here.
- (07) Less: Other Reimbursements, if applicable. Enter the amount of other reimbursements received from any source including, but not limited to, service fees collected, federal funds, and other state funds, which reimbursed any portion of the mandated cost program. Submit a schedule detailing the reimbursement sources and amounts. If other reimbursements were already deducted on form 1A, it may not be deducted here.
- (08) Enter the total brought forward from form 1A, line (11).
- (09) Total Claimed Amount. Subtract the sum of Offsetting Savings, line (06), and Other Reimbursements, line (07), from Total Cost, line (05)(e) and add the total transferred from form 1A, line (11). Enter the total on this line and carry the amount forward to form FAM-27, line (13) for the Reimbursement Claim.

<b>Program</b> <span style="font-size: 2em; font-weight: bold;">176</span>	<b>MANDATED COSTS</b> <b>PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS</b> <b>FISCAL YEAR 2006-07 AND SUBSEQUENT FISCAL YEARS</b> <b>ACTIVITY COST DETAIL</b>	<span style="font-size: 2em; font-weight: bold;">FORM</span> <span style="font-size: 2em; font-weight: bold;">2</span>
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(01) Claimant	(02) Fiscal Year Costs Were Incurred
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(03) Reimbursable Activity: Check only **one** box per form to identify the activity being claimed.

<input type="checkbox"/> Adoption and Revision of Rules and Procedures	<input type="checkbox"/> Readmission Procedures
<input type="checkbox"/> Suspension Conference and Report	<input type="checkbox"/> Application by Expelled Pupil to Attend New District
<input type="checkbox"/> Recommendation of Expulsion	<input type="checkbox"/> Responding to Requests for Recommendations
<input type="checkbox"/> Expulsion Hearing Procedural Requirements	<input type="checkbox"/> Expulsion Appeals Hearing
<input type="checkbox"/> Post Expulsion Procedures	<input type="checkbox"/> Travel and Training

(04) Description of Expenses			Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training
(05) Total <input type="checkbox"/>			Subtotal <input type="checkbox"/>	Page ____ of ____			

<b>Program</b> <b>176</b>	<b>PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS</b> <b>FISCAL YEAR 2006-07 AND SUBSEQUENT FISCAL YEARS</b> <b>ACTIVITY COST DETAIL</b> <b>Instructions</b>	<b>FORM</b> <b>2</b>
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- (01) Claimant. Enter the name of the claimant.
- (02) Fiscal Year. Enter the fiscal year for which costs were incurred.
- (03) Reimbursable Activities. Check the box which indicates the cost activity being claimed. Check only one box per form. A separate form 2 shall be prepared for each applicable activity.
- (04) Description of Expenses. The following table identifies the type of information required to support reimbursable costs. To detail costs for the activity box "checked" in block (03), enter the employee names, position titles, a brief description of the activities performed, actual time spent by each employee, productive hourly rates, fringe benefits, supplies used, contract services, and travel and training expenses. **The descriptions required in column (4)(a) must be of sufficient detail to explain the cost of activities or items being claimed.** For audit purposes, all supporting documents must be retained by the claimant for a period of not less than three years after the date the claim was filed or last amended, whichever is later. If no funds were appropriated and no payment was made at the time the claim was filed, the time for the Controller to initiate an audit shall be from the date of initial payment of the claim. Such documents shall be made available to the State Controller's Office on request.

Object/ Sub object Accounts	Columns								Submit supporting documents with the claim
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	
<b>Salaries and Benefits</b>									
Salaries	Employee Name/Title	Hourly Rate	Hours Worked	Salaries = Hourly Rate x Hours Worked					
Benefits	Activities Performed	Benefit Rate		Benefits = Benefit Rate x Salaries					
<b>Materials and Supplies</b>	Description of Supplies Used	Unit Cost	Quantity Used		Cost = Unit Cost x Quantity Used				
<b>Contract Services</b>	Name of Contractor Specific Tasks Performed	Hourly Rate	Hours Worked Inclusive Dates of Service			Cost=Hourly Rate x Hours Worked or Total Contract Cost			Copy of Contract and Invoices
<b>Fixed Assets</b>	Description of Equipment Purchased	Unit Cost	Usage				Cost= Unit Cost x Usage		
<b>Travel and Training</b>	Purpose of Trip Name and Title	Per Diem Rate	Days					Total Travel Cost = Rate x Days or Miles	
Travel	Departure and Return Date	Mileage Rate Travel Cost	Miles Travel Mode						
Training	Employee Name/Title Name of Class		Dates Attended					Registration Fee	

- (05) Total line (04), columns (d) through (h) and enter the sum on this line. Check the appropriate box to indicate if the amount is a total or subtotal. If more than one form is needed to detail the activity costs, number each page. Enter totals from line (05), columns (d) through (h) to form 1A, block (04), columns (a) through (e) in the appropriate row.